REMARKS

This responds to the Office Action dated April 13, 2009.

Claim 1 is amended and no claims are canceled or added; as a result, claims 1 and 3 are now pending in this application.

§ *101 Rejection of the Claims*

Claim 1 was rejected under 35 U.S.C. § 101 as being directed toward a method, but a method not patentable under 35 U.S.C. 101. Applicant has amended independnet claim 1 to clarify that the archiving includes storing the documentation items on the data storage system or device. The storing is a transformation of the data and thus, claim 1 falls within the requirments enumerated in the Office Action for the claim to be classified as patent eligible subject matter. Applicant respectfully requests entry of the amendment and withdrawal fo the 35 U.S.C. § 101 rejection.

§ *103 Rejection of the Claims*

Claims 1 and 3 were rejected under 35 U.S.C. § 103(a) as being obvious over Klein et al. (U.S. Patent No. 6,496,825; hereinafter "Klein") in view of Bromberg et al. (U.S. Patent No. 5,819,066; hereinafter "Bromberg").

Applicant has amended independent claim 1 to clarify the patentable nature of the claim. Claim 1 is amended to clarify that the electronic data is received in a system performing the method which is not one of the systems from which the data is received. This amendment is supported throughout the application as originally filed, such as in FIG. 1 and FIG. 2 and in the paragraph at page 3, line 18 where it is described that the system receives "carbon copies" of all electronic documents. Applicant respectfully submits that this clarifies the patentability of the claim because Klein describes a system for offloading transaction processing activities as described in the first paragraph of the "SUMMARY OF THE INVENTION." This highlights that Klein is a threadbased processing system, where even if there is some form of data archiving, it is performed within the context of a transaction processing thread. In contrast, claim 1 is directed to a method that receives electronic data that may originate in a thread, but the processing in the claim is for archiving and not related to the processing of the data within the

thread of the transaction that is being archived. Further, the archiving, as specified by the claim amendment is performed by a different system than the system from which the data orginated. Bromberg fails to cure these deficiencies in Klein as it simply provides benchmarking applications for testing database server performance and not archiving of electronic data of transactions as an intermediary, outside of a transaction thread and by a system other than that producing the data.

Applicant respectfully submits that claim 3 is similarly patentable over Klein and Bromberg as claim 3 specifies that the computer which executes the instructions is coupled to the first and second external systems from which the electronic data is received.

Applicant resepctfully requests entry of the amendment to claim 1, withdrawal of the 35 U.S.C. § 103(a) rejections, and allowance of claims 1 and 3.

CONCLUSION

Applicant respectfully submits that claims 1 and 3 are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6938 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402--0938
(612) 373-6938

Date   7/13/2009   By   James D. Hallenbeck
                                         Reg. No. 63,561

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13th day of June, 2009.

John D. Gustav-Wrathall
Name   Signature